

Message Text

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ORIGIN ARA-10

INFO OCT-01 ISO-00 L-01 SCS-02 COME-00 EB-04 OPIC-03 RSC-01

/022 R

DRAFTED BY ARA/MEX:GFALK/L/ARA;DAGANTZ:AC

APPROVED BY ARA/MEX;JTDREYFUSS

SCS:VSIMPSON (INFO)

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R 010156Z NOV 74

FM SECSTATE WASHDC

TO AMEMBASSY MEXICO

INFO AMCONSUL TIJUANA

LIMITED OFFICIAL USE STATE 240326

E.O. 11652:N/A

TAGS: CPRS, MX

SUBJECT: SAN ANTONIO SHORES DEVELOPMENT PROJECT

REF: (A) TIJUANA A82, OCT. 16; (B) MEXICO 8468

1. DEPARTMENT DISTURBED TO NOTE (REF A) THAT OFFICE OF ECONOMIC DEVELOPMENT OF BAJA CALIFORNIA HAS INDICATED THAT UNLESS SOME 800 PURCHASERS OF SAN ANTONIO LOTS AGREE TO ADDITIONAL PAYMENT OF DOLLARS 4500, THE STATE WILL CONSIDER PROJECT ABANDONED AND WILL DEDICATE LAND IN QUESTION TO OTHER USES. THIS LATEST MOVE APPEARS INCONSISTENT WITH CONVERSATIONS HELD WITH MEXICAN GOVERNMENT OFFICIALS THIS PAST JULY WHEN ATTORNEY GENERAL AGREED TO REVIEW CHARGES AND PROVIDE AN OPINION AS TO WHETHER THERE WAS SUFFICIENT CAUSE TO INITIATE CRIMINAL CHARGES OF FRAUD IN THIS CASE. NOR IS IT CONSISTENT WITH STATE OF BAJA CALIFORNIA'S PREVIOUSLY ANNOUNCED INTENTION OF OFFERING OWNERS THE OPPORTUNITY OF EITHER CONVERTING THEIR HOLDINGS INTO A LEGALLY VALID TRUST ARRANGEMENT SET UP UNDER MEXICAN LEGISLATION OR TO RECEIVE A REFUND OF OUT OF POCKET COSTS.

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2. WE BELIEVE IT HIGHLY UNLIKELY THAT ANYTHING LIKE 800

OF THE SAS INVESTORS WILL BE WILLING TO INVEST ADDITIONAL
DOLLARS 4500 AND ALSO DOUBT THAT STATE OF CALIFORNIA
AUTHORITIES WILL ACCEPT THIS PLAN; IN THAT EVENT ITS
CHANCES OF SUCCESS ARE EVEN MORE REMOTE. DEPARTMENT
LAWYERS WILL ATTEMPT TO DISCUSS MATTER WITH (SAN FRANCISCO)
LAWYER RETAINED BY STATE OF BAJA CALIFORNIA, ESPECIALLY
QUESTION OF WHETHER ALL PRIOR TRANSFERS TO SAS INVESTORS
ARE IN FACT NULL AND VOID.

3. EMBASSY REQUESTED TO RAISE MATTER ON URGENT BASIS WITH
APPROPRIATE GOM OFFICIALS. INGERSOLL

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 01 NOV 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: smithrj
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974STATE240326
Document Source: CORE
Document Unique ID: 00
Drafter: GFALK/L/ARA;DAGANTZ:AC
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740313-0416
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19741178/aaaaconw.tel
Line Count: 72
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN ARA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: (A) TIJUANA A82, OCT. 16; (B) MEXICO
Review Action: RELEASED, APPROVED
Review Authority: smithrj
Review Comment: n/a
Review Content Flags:
Review Date: 18 SEP 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <18 SEP 2002 by martinml>; APPROVED <07 MAR 2003 by smithrj>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: SAN ANTONIO SHORES DEVELOPMENT PROJECT
TAGS: CPRS, MX
To: MEXICO
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005